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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,667	01/31/2006	Stan P. Boyer	027830-3947/US	4103
23428 7590 10/06/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
BLANKENSHIP, GREGORY A				
ART UNIT		PAPER NUMBER		
3612				
MAIL DATE		DELIVERY MODE		
10/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,667

Applicant(s)

BOYER, STAN P.

Examiner

GREGORY BLANKENSHIP

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/7/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date 10/24/2005
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Species A in the reply filed on 7/18/2008 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 9-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (5,618,477) in view of Gabsch et al. (7,404,588), further in view of Suzuki (5,618,477).

Suzuki discloses a panel assembly having a substrate (40), a skin (30), and a compressible layer (53) between the substrate (40) and the skin (30). In reference to claims 4 and 14, the compressible layer is a foam layer injection molded between the substrate (40) and the skin (30). In reference to claims 16 and 18, the compressible layer (53) is a compressible surface that is coupled to the substrate (40) and between the substrate (40) and the skin (30).

However, Suzuki does not disclose the aperture that receives a handle.

Gabsch et al. teach forming an aperture in a substrate (3) to receive a component (5). In reference to claims 2, 12, and 17, the substrate (3) has bosses (9a,9b) that extend from the substrate in a direction that is opposite to the interior of the vehicle. The component (5) is mounted to the bosses (9a,9b), as shown in Figure 2a. In reference to claim 3, 13, 16, 22,

and 23, the component is a handle (5). However, Gabsch et al. do not disclose capping portions about the edge of the aperture.

Suzuki teaches forming a first capping portion (41) on the substrate (40) that engages a second capping portion (32) on the skin (30) to close off an edge of the panel and the compressible layer (53) between the substrate (40) and the skin (30), as shown in Figure 4. In reference to claims 9 and 15, the first capping portion (41) and the second capping portion (32) at least partially overlap one another between the substrate and the skin, as shown in Figure 3.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

Form an aperture in the substrate of Suzuki that receives a handle, as taught by Gabsch et al.;

Form bosses in the substrate of Suzuki that extend away from the skin and mounting the handle to the bosses, as taught by Gabsch et al., to provide a door handle in a convenient location; and,

Form capping portions on the substrate and skin of Suzuki that extend about the aperture and overlap the other capping portion to close off the compressible layer, as taught by Suzuki, to provide a simple method of manufacturing that results in little waste of material.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of references, as applied to claim 1, in view of Dooley et al. (7,104,590).

Suzuki, as modified, does not disclose the channel.

Dooley et al. teach forming a channel (44) in a substrate (18) to receive and end (40) of the skin (22) to form a capping portion, as shown in Figure 2.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the first capping portion of Suzuki, as modified, as a channel, as taught by Dooley et al., that extends completely around the aperture and the second capping portion of Suzuki, as modified, as an end, as taught by Dooley et al., that is received by the channel to provide a more secure attachment between the substrate and the skin.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of references, as applied to claim 1, in view of Dooley et al. (2004/0169396).

Suzuki, as modified, does not disclose the capping portion of the skin having a thickness different from the rest of the skin.

Dooley et al. teach a panel (12) that has a projection (80) that has thickness less than the thickness of the rest of the skin, as shown in Figure 9.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the second capping portion of Suzuki, as modified, with a thickness greater than the rest of the skin, as taught by Dooley et al., to provide a strong connection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREGORY BLANKENSHIP whose telephone number is (571)272-6656. The examiner can normally be reached on 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Blankenship/
Examiner, Art Unit 3612
October 1, 2008